

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

JAMES C. JUSTICE, III, et al.,

Plaintiff,

v.

OFFICE OF SURFACE MINING  
RECLAMATION AND ENFORCEMENT,  
UNITED STATES DEPARTMENT OF  
THE INTERIOR,

Defendant.

Civil Action No. 7:19CV00381

**ORDER**

By: Hon. Glen E. Conrad  
Senior United States District Judge

For the reasons stated in the accompanying memorandum opinion, it is hereby

**ORDERED**

as follows:

1. Defendant's motion to dismiss, ECF No. 22, is **GRANTED**; and
2. This action shall be **DISMISSED WITHOUT PREJUDICE** and **STRICKEN**  
from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to all counsel of record.

DATED: This 19th day of May, 2020.



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Senior United States District Judge